

# **EXHIBIT 1**

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NEW YORK**

**If you are black or Hispanic and took a written exam to become a NYC firefighter between 1999 and 2006, you must act now to protect your rights in a lawsuit.**

You may be eligible for money, priority hiring into a firefighter job, and seniority awards, but you must act now to be considered for this relief.

*A court approved this notice. This is not an advertisement from a lawyer.*

- In a lawsuit filed by the United States, a federal court has ruled that the City of New York discriminated against blacks and Hispanics who took written exams for firefighter jobs between 1999 and 2006.
- The Vulcan Society and seven black applicants filed class action claims on behalf of black applicants as part of the lawsuit.
- **Please read this notice carefully**, as City records show that you may have taken one of the discriminatory written exams between 1999 and 2006. Your rights and options are explained in this notice.

**IMPORTANT DEADLINE**

**Hispanic Applicants**

By [INSERT DATE]:

- ✓ You must mail in the **Claim Form** to be considered for money, hiring relief, or seniority awards.
- ✗ If you **do not mail** in the Claim Form by [INSERT DATE], you **may not** be considered for money or other relief.

*If you are not black, please ignore the document named "Additional Information for Black Applicants."*

**Black Applicants**

By [INSERT DATE]:

- ✓ If you want **to be excluded from the class**, you must mail in the **Opt-Out Form** and the **Claim Form**.
- ✓ If you want **to stay in the class**, you must mail in the **Claim Form only**.
- ✗ If you **do not mail** in the Claim Form by [INSERT DATE], you **may not** be considered for money or other relief.

*Please read this notice and the document named "Additional Information for All Black Applicants."*

## INFORMATION FOR ALL BLACK AND HISPANIC APPLICANTS

### 1. What is this lawsuit about?

This lawsuit claims that the City of New York discriminated against black and Hispanic applicants for entry-level firefighter jobs.

The Court has ruled that the City's use of two written exams (No. 7029 and No. 2043) given between 1999 and 2006 for entry-level firefighter jobs discriminated against black and Hispanic applicants. The Court will decide what individual relief must be provided to black and Hispanic victims of the City's discrimination.

### 2. Why did I get this notice?

The City's records show that you may have taken Written Exam No. 7029, Written Exam No. 2043, or both of these exams to be a NYC firefighter between 1999 and 2006. As a result, you may have been harmed by the City's discrimination, and you may be eligible for money, priority hiring into a firefighter job, and seniority awards. This notice explains the steps you must now take to be considered for individual relief.

### 3. What types of individual relief are available to black and Hispanic victims of the City's discrimination?

Eligible black and Hispanic victims of the City's discrimination may be entitled to:

- ❖ **Cash awards of backpay** to make up for wages and benefits lost due to discrimination.
- ❖ **Priority consideration for a job offer** to become a City of New York firefighter (you must meet all current minimum job qualifications).
- ❖ **Seniority Awards** to current FDNY firefighters and to those hired as a result of this lawsuit.

### 4. What should I do to be considered for an award of individual relief?

You must complete and mail in the Claim Form provided in this mailing **no later than [INSERT DATE]**. Please read the attached Claim Form instructions carefully. Filling out the Claim Form does not guarantee that you will receive any individual relief. But if you do not complete and mail in the Claim Form by **[INSERT DATE]**, you may not get anything because you missed the deadline.

*Please visit [www.justice.gov/fdnycase](http://www.justice.gov/fdnycase) for more information about this lawsuit.*

**5. How will I know if I am eligible for backpay, hiring, or seniority?**

An initial decision on your eligibility will be made based on the Claim Form you submit. You will receive an initial decision, and you will have the opportunity to object to the decision. You also may be asked to provide additional information. The Court will make the final decision about whether you are eligible to receive individual relief.

**6. If I complete and mail the Claim Form on time, will I be hearing more about this case in the future?**

Yes. We will contact you at the address and telephone number that you provide on the Claim Form. If your address or telephone number changes after you mail in your Claim Form, you must let us know. To update your address or telephone number:

- ❖ You can visit [www.justice.gov/fdnycase](http://www.justice.gov/fdnycase), or
- ❖ You can call 1-800-556-1950 (select mailbox option 7). If you call, please leave a message with your name, your updated contact information, telephone number, and a time at which we can reach you.

**7. Do I need to read the ADDITIONAL INFORMATION FOR BLACK APPLICANTS ONLY?**

- ❖ **If you are black, you should also read the document named “Additional Information for Black Applicants Only.”** This document explains the class action part of this lawsuit. Because you may be a member of the class of black applicants, you may be eligible for additional monetary relief and you must act now to protect your rights as a class member. **NOTE:** You may need to mail in another form in addition to the Claim Form.
- ❖ **If you are not black, you do not need to read the document named “Additional Information for Black Applicants Only.”**

*Please visit [www.justice.gov/fdnycase](http://www.justice.gov/fdnycase) for more information about this lawsuit.*

## GETTING MORE INFORMATION

<b>If you are black or Hispanic...</b>	<p>You may see an attorney at your own expense.</p> <p>You may visit <a href="http://www.justice.gov/fdnycase">www.justice.gov/fdnycase</a>.</p> <p>You may call the Department of Justice at 1-800-556-1950 (mail box 7):</p> <ul style="list-style-type: none"><li>▪ Leave a message with your full name,</li><li>▪ Telephone number(s), and</li><li>▪ Time when you can be reached.</li></ul>
<b>If you are black and you were not hired by the FDNY....</b>	<p>You may also call the Levy Ratner, P.C. law firm at 1-212-627-8100 ext. 269 to speak with an attorney representing Non-Hire claimants.</p> <p>Leave a message and you will be called back.</p> <p>You may visit <a href="http://www.fdnycase.com">www.fdnycase.com</a></p>
<b>If you are black and you were hired by the FDNY....</b>	<p>You may also call the Center for Constitutional Rights at 1-212-614-6475 to speak with an attorney representing Delayed-Hire claimants.</p> <p>Leave a message and you will be called back.</p> <p>You may visit <a href="http://www.fdnycase.com">www.fdnycase.com</a></p>
<p><i>Please do not contact the court for information about this lawsuit.</i></p>	

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